

JP:JSR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M12-0141

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UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR AN ARREST WARRANT

- against -

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(2))

MARIO CHEVEZ CARRANZA,
also known as
"Mario Chevez,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

FABIO ARROYAVE, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about January 23, 2012, within the Eastern District of New York and elsewhere, the defendant MARIO CHEVEZ CARRANZA, also known as "Mario Chevez," an alien who had previously been deported from the United States after a conviction for an aggravated felony, was found in the United States without the Secretary of the United States Department of Homeland Security, successor to the Attorney General of the United States, having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about January 15, 2012, the defendant MARIO CHEVEZ CARRANZA was arrested by the New York City Police Department in Brooklyn, New York for, among other things, Menacing in the second degree, contrary to Section 120.14 of the New York State Penal Law.

3. Subsequent to the defendant's arrest, ICE officials ran a criminal history and found that the defendant MARIO CHEVEZ CARRANZA, a citizen of Honduras, had been previously removed from the United States on February 20, 2003.

4. ICE officials determined that on or about December 6, 2002, the defendant MARIO CHEVEZ CARRANZA was convicted of Attempted Criminal Sexual Conduct in the fourth degree, contrary

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

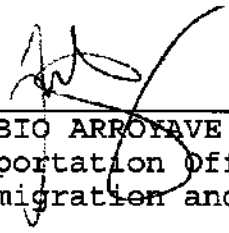
to Michigan Penal Law 750.520e, an offense punishable by up to two years' imprisonment and considered to be an aggravated felony offense.

5. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his December 6, 2002 conviction; the fingerprints taken in connection with the defendant's February 20, 2003 removal; and the fingerprints taken in connection with the defendant's January 15, 2012 arrest, and determined that all three sets of fingerprints were made by the same individual.

6. A search of ICE records has revealed that there exists no request by the defendant for permission from the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, to reapply for admission to reenter the United States after removal.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant MARIO CHEVEZ CARRANZA,

also known as "Mario Chevez," so that he may be dealt with according to law.



FABIO ARROYAVE
Deportation Officer
Immigration and Customs Enforcement

February
Sworn to before me this
9th day of ~~January~~, 2012

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK